



# City of Chicopee, Massachusetts

## License Commission

Donald Goulette, Chairman  
Robert Borowiec  
James Grise  
Donald Derosia

City Hall - 17 Springfield Street - Chicopee, MA 01013  
Tel: (413) 594-1530 Fax: (413) 594-1531

Minutes for August 18, 2011

In attendance: Chairman Goulette, Commissioners Grise and Derosia. Also Atty. Rooke.

Minutes for July are presented to the Board. Commissioner Derosia makes a motion to approve. Commissioner Grise seconds. Motion approved 3-0.

Hearing for P.N. A. Cafe in reference to the following alleged violation: **Count 1- M.G.L. Chapter 138§ Section 69.**  
- Sale or delivery to intoxicated person(s) **Count 2- Regulations of the ABCC CMR 204 4.03: Certain Practices Prohibited (h) encourage or permit, on the licensed premises, any game or contest which involves drinking or the awarding of drinks as prizes. (2) No licensee shall advertise or promote in any way, whether within or without the licensed premises, any of the practices prohibited under 204 CMR 4.03.** **Count 3- Chicopee Rules and Regulations-1.05 Physical Premises g. No advertising matter, screen, curtain or other obstruction which in the opinion of the Chicopee License Commission, or their Agents (Chicopee Police Department), prevents a clear view of the interior of the premises shall be maintained in or on any window or door thereof after the Chicopee License Commission has ordered the removal of such obstruction.**

In attendance: Det. Michael Dion, Peter Broska and Steven Lacombe. Det. Dion reads his report to the Commissioners. Mr. Broska informs the Commissioners that there was a sign on a game that stated free drink chits for a certain score per game. The sign was removed the night of the report by Det. Dion. As for the curtains, they have been in the windows for years. They can be removed if the Commissioners want them to be. Mr. Lacombe informs the Commissioners that he had served the patron in the report 2 drinks but the last drink was removed after he witnessed her staggering out from the restroom. Chairman Goulette questions why she was allowed to leave the premises in that condition. Commissioner Derosia states that she was served even it was one drink. Mr. Broska states the Mr. Lacombe has been reprimanded, a 2 day suspension, and if it happens again he will be fired. Commissioner Derosia asks the purpose of the curtains on the windows. Mr. Broska states that they keep the sunlight out and they block the DJ equipment from outside view. Commissioner Derosia makes a motion that Count 1, 2 and 3 are founded. Commissioner Grise seconds. Motion approved 3-0. Commissioner Derosia asks Det. Dion his opinion on the curtains. Det. Dion states in his opinion it is a matter of public safety for everyone. Atty. Rooke asks if a compromise can be reached with the curtains being opened at sunset. Everyone agrees to that. Commissioner Grise makes a motion for Count 1 that the Restaurant All Alcohol license be suspended for a 3 day period with 2 days held in abeyance for 6 months provided there are no further violations. Commissioner Derosia seconds. Motion approved 3-0. Commissioner Derosia makes a motion for Count 2 that the Restaurant All Alcohol license be suspended for a 3 day period with 2 days held in abeyance for 6 months provided there are no further violations. Commissioner Grise seconds. Motion approved 3-0. Commissioner Derosia makes a motion there is a violation of Count 3 and that the violation is concurrent with Counts 1 and 2. Commissioner Grise seconds. Motion approved 3-0. The suspension will be served on August 31 and September 1, 2011.

Discussion on +18 or College Nights. The Commissioners have a proposed draft of a Special Event application and Rules/Regulations for Entertainment Licenses and Special Events including +18 or College Nights. There needs to be a determination as to what a Special Event will be. Commissioner Grise reads a letter from Police Chief John Ferrarro that states he is not in favor of any of these types of events. Also Fire Chief Burkott has submitted a letter requesting that the Fire Department be added to the authorized agents. There are some other safety issues that he suggests be added to the rules and regulations. Commissioner Derosia would like only 1 permit per month per establishment be issued. Mr. Roberts inquires how this will affect private parties. In his business now when they have a +18 or college night, they make sure they have no alcohol served in that area of the building. Mr. Snyder informs the Board that his business has banquet halls

and he does a lot of wedding business. Would they need a permit for this? Mr. Liswell states that in his opinion there is a difference between a private party and a public event which would make a difference. Advertising would also make a difference. Atty. Rooke informs the Board that these types of event cannot be banned but restrictions can be placed considering the needs of the community and keeping public safety a priority. One thing that needs to be determined is how far of an advanced notice does the Commission need to approve these permits. Commissioners agree that a time frame needs to be determined. Also the difference between a private event and a public event will have to be factored into any decisions. Mr. Roberts informs the Board that his business currently has a no reentry policy. If a patron leaves they are not allowed back inside under any circumstances. He does have +18 events, College Nights and 7-11 shows (concerts) in the upstairs portion of his business and does not allow any one from downstairs to enter upstairs and vice versa. There is no alcohol allowed at these events.

Application for a Change of Manager and Change of Officers/Directors for the Moose Lodge, 244 Fuller Rd with Robert Hupfer as proposed new manager. In attendance: Bob Hupfer. Mr. Hupfer informs the Board that he has no experience as a manager of an alcohol establishment. He has been a member of the lodge for 20 years. He does have experience in managerial positions through the years. He is TIPs certified. Commissioner Derosia makes a motion to continue the hearing until September. Commissioner Grise seconds. Motion approved 3-0.

Application for a Change of Manager, Change of Officers/Directors and Transfer of Stock for GabeVic, Inc, D/B/A Red Fez, 70 Exchange St with Maria Fatima Pragosa as proposed new manager. In attendance: Maria Fatima Pragosa and Atty. Phillip Ciccarelli. Ms. Pragosa informs the Board that she is TIPs certified. She has no experience managing a liquor establishment but is learning the business. She has experience in the restaurant business. She has held the managers position in a local bakery. She plans on spending 40 to 50 hours per week on the premises. Commissioner Derosia makes a motion to approve. Commissioner Grise seconds. Motion approved 3-0.

Application for a Transfer and Pledge of License from Cabot Liquors, Inc, D/b/a Cabot Liquors, 220 Exchange St to Harsh Liquors, Inc, D/b/a Cabot Liquors, 220 Exchange St with Binita M. Patel as manager. A letter has been submitted by Atty. Goldman asking to continue the hearing until September 15, 2011. Commissioner Grise makes a motion to continue this application until September 15, 2011. Commissioner Derosia seconds. Motion approved 3-0.

Application for a Common Victualer for Maggio's Pizza, 582 Chicopee St with Telat Kahveci as manager (New Owner) Commissioner Derosia makes a motion to approve. Commissioner Grise seconds. Motion approved 3-0.

Application for a Special One Day Permit ( Beer/Wine) for the Rotary Classic Car Show to be held at Big Y parking area, 650 Memorial Dr on Sunday, September 18, 2011 from 9:00 AM until 3:00 PM with Donald Roy as applicant. (Area will be contained and monitored) Commissioner Derosia makes a motion to approve and amend the time to 10:00 AM for opening. Commissioner Grise seconds. Motion approved 3-0.

Application for a Special One Day Permit (Beer/Wine) for the B Bar, 16 Bolduc Ln for a Relay for Life Pig Roast to be held on Saturday September 17, 2011 from 12:00 PM until 6:00 PM with Elizabeth Dice as applicant (Area will be contained and monitored) Commissioner Derosia makes a motion to approve. Commissioner Grise seconds. Motion approved 3-0.

Application for a Special One Day Permit( Beer/Wine) for Tigers, 14 Montgomery St for a Clam Bake to be held on Saturday, September 10, 2011 from 12:00 PM until 8:00 PM with Mike Hurley as applicant( Area will be contained and monitored) Commissioner Grise makes a motion to approve. Commissioner Derosia seconds. Motion approved 3-0.

Application for a Special One Day Permit (Beer/Wine) for Holy Name Parish, 33 South St for the Parish Picnic to be held on Sunday September 25, 2011 from 11:30 AM until 4:30 PM with Fr. Darcy as applicant (Area will be contained and monitored) Commissioner Derosia makes a motion to approve and waive the fee. Commissioner Grise seconds. Motion approved 3-0.

Filing fees are read by Commissioner Derosia.

ABCC Approvals- Portuguese Clubs, 147 Exchange St- New Officers/Directors approved

Police Detail Requirements/Duties- Commissioner Derosia has done some research on this issue. Every detail job is different and the main concern is always public safety. Every employer who hires a detail officer has there own criteria for what they want.

Rivoli Tour will be scheduled for Thursday September 15, 2011